

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32992 of 2025

Arising Out of PS. Case No.-560 Year-2019 Thana- SUGAULI District- East Champaran

Nathuni Sahani S/o Late Binda Sahani R/o Village- Mushwa Bhedihari Sapha
(Bherihari Konawa Tola), P.S.- Sugauli, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh
For the Opposite Party/s : Mr.Syed Mojibur Rahman

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 22-05-2025 Heard the learned counsel for the petitioner and
learned APP for the State.

2. The petitioner makes a prayer for bail in connection with Sugauli P.S Case No.560 of 2019 registered for offences under Section 30(a) (c) of the Bihar Prohibition and Excise Act, 2016.

3. The First Information Report and the seizure list would indicate that there is a total recovery of 40 litres of country made liquor made from a bush near the bank of the river.

4. Learned counsel for the petitioner submits that the nothing has been recovered from the physical and conscious possession of the petitioner and his name has surfaced upon



disclosure of local villagers. The petitioner is not the owner of the said land rather, the same is an open space which is accessible to all. The petitioner has been remanded on 07.03.2025.

5. Learned APP for the State opposes the prayer for bail application on the ground that there are two criminal antecedent of the same nature, in response to which learned counsel for the petitioner submits that he is on bail in all the said cases.

6. In view of the facts and circumstances, the petitioner is enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount, each to the satisfaction of learned Exclusive Special Excise Court No.1, East Champaran at Motihari, in connection with Sugauli P.S Case No.560 of 2019, subject to the following conditions:

(i) the petitioner shall co-operate in the investigation/trial.

(ii) one of the bailors shall be the family member/close relative of the petitioner.

(iii) the learned Court would, however, verify the criminal antecedent of the petitioner and in case it is found that



the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Soni Shrivastava, J)

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